UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/49/874
S/1995/286
11 April 1995
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 74
PROTECTION AND SECURITY OF
SMALL STATES

SECURITY COUNCIL
Fiftieth year

Letter dated 10 April 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to write to you concerning the Final Declaration of the Fifth Institutionalized Ministerial Meeting between the European Union and the Rio Group, held in Paris on 16 and 17 March 1995.

In paragraph 7 of the Final Declaration, the representatives of the two groups made the following statement with respect to the territorial dispute between Ecuador and Peru: "The Ministers noted with satisfaction the signing of the Itamaraty Peace Declaration between Ecuador and Peru, and the Montevideo Declaration. They also expressed satisfaction at the participation of the Guarantor Countries of the 1942 Rio de Janeiro Protocol in the restoration of peace between Ecuador and Peru".

Furthermore, in a passage of his opening statement to the Fifth Ministerial Meeting, the Minister for Foreign Affairs of France, Mr. Alain Juppé, speaking on behalf of the Presidency of the European Union, stated: "Thus, on 1 February 1995, the European Union took the initiative of inviting Ecuador and Peru to seek a peaceful solution to their border dispute. Aware of the role played by the four Guarantor Countries (Argentina, Brazil, Chile and the United States of America), it welcomes the agreements reached at Brasilia and Montevideo. This positive outcome, which we hope to see firmly consolidated, creates a favourable climate for continued efforts to bring our two regions closer together. Naturally, we are prepared to share this experience with you."

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 74, and of the Security Council.

(Signed) Luis VALENCIA RODRIGUEZ
Permanent Representative

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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication, dated 5 April 1995, which he has received from the Director General of the International Atomic Energy Agency (IAEA).

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Annex

Letter dated 5 April 1995 from the Director General of the International Atomic Energy Agency to the Secretary-General

Paragraph 8 of resolution 715 (1991), adopted by the Security Council on 11 October 1991, requests the Director General of the International Atomic Energy Agency to submit to the Security Council reports on the implementation of the Agency's plan for future ongoing monitoring and verification of Iraq's compliance with paragraph 12 of resolution 687 (1991). These reports are to be submitted when requested by the Security Council and, in any event, at least every six months after the adoption of resolution 715 (1991).

Accordingly, I am requesting you kindly to transmit to the President of the Security Council the enclosed seventh six-month report on the implementation of the Plan. I remain available for any consultations you or the Council may wish to have.

(Signed) Hans BLIX

Appendix

Seventh report of the Director General of the International Atomic Energy Agency on the implementation of the Agency's plan for future ongoing monitoring and verification of Iraq's compliance with paragraph 12 of Resolution 687 (1991)

I. INTRODUCTION

1. On 11 October 1991, the Security Council adopted resolution 715 (1991) approving, inter alia, the plan submitted in document S/22872/Rev.1 and S/22872/Rev.1/Corr.1 by the Director General of the International Atomic Energy Agency (IAEA) for future ongoing monitoring and verification of Iraq's compliance with paragraph 12 of Part C of Security Council resolution 687 (1991) and with the requirements of paragraphs 3 and 5 of resolution 707 (1991). In paragraph 8 of resolution 715, the Security Council requested the Director General of the IAEA to submit to it reports on the implementation of the plan when requested by the Security Council and, in any event, at least every six months after the adoption of resolution 715.

2. The Director General submits herewith the seventh six-month report[1] on implementation of the plan for ongoing monitoring and verification related to Iraq's nuclear capabilities (hereinafter referred to as the Plan).

3. It will be recalled that in the previous six-month report a detailed account was given of the IAEA's inspection activities which led to the identification and neutralization of the past covert Iraqi nuclear programme. In that report it was concluded that, with the establishment at the end of August 1994 of the IAEA's continuous presence in Iraq - the Nuclear Monitoring Group (NMG) - all elements of the Plan were in place, thus indicating that the Plan was operational. It was also concluded that i) monitoring and verification measures would evolve as technical needs arose and as advanced technologies became available, and that ii) the implementation of the Plan did not foreclose the exercise by the IAEA of its right to investigate any aspect of Iraq's former nuclear weapons programme through the follow-up of any new result or new information which in the IAEA's judgement warranted further investigation.

4. With the NMG in place at the Baghdad Monitoring and Verification Centre (BMVC), most of the future activities of the IAEA in Iraq, be they monitoring and verification of existing data or follow-up of new results or new information, will be carried out by that group in co-operation, where necessary, with the other resident teams of the Special Commission. This will not preclude the possibility of sending specialized inspection teams to Iraq, as has been done in the past.

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[1] The Director General has so far submitted six reports, circulated on 15 April 1992, as S/23813; on 28 October 1992, as S/24722; on 19 April 1993, as S/25621; on 3 November 1993, as S/26685; on 22 April 1994, as S/1994/490; and on 10 October 1994, as S/1994/1151.

5. Information has recently appeared in the media suggesting the existence in Iraq of a secret project which could be related to a nuclear weapons programme. The details are discussed further below.

II. IRAQ'S PAST NUCLEAR WEAPONS PROGRAMME

6. As indicated in the previous six-month report, the IAEA is confident that the essential components of Iraq's past clandestine nuclear programme have been identified and have been destroyed, removed or rendered harmless, as appropriate. The IAEA is also confident that the scope of the past programme is well understood. Areas of residual uncertainty have been progressively reduced to a level of detail, the full knowledge of which is not likely to affect the overall picture.

7. This assessment is based not only on the verification of Iraqi statements, which may be presumed to be biased and incomplete, but also on information gathered during inspections and information provided by suppliers and Member States and, to a great extent, on analyses of the large quantity of original Iraqi documentation relevant to the covert programme which was seized in Iraq in September - October 1991 by the teams of the sixth and seventh IAEA inspection missions.

8. The cache of original Iraqi documentation consists of a total of 54,922 pages, comprising 2,348 individual documents, 1,138 of which had been stamped by the Iraqi authorities as secret or top secret. All of the documents have been abstracted and 325 have been fully translated. Of the 2,348 documents, 564 (about one quarter of the total) have no date; the remaining 1,784 cover a period of thirteen years, from 1979 through 1991. The distribution of documents by year of issue is shown as a bar-chart in the Attachment. As can be seen from this chart, 41% of the seized documents relate to the period 1988-1991. Documents stamped "Petrochemical Project 3" or "PC3", which was the code name of the covert Iraqi nuclear programme, tend to occur more frequently in the later years.

9. These seized documents contain a wealth of detailed information regarding the following areas of activity of the covert nuclear programme:

- electromagnetic isotope separation (EMIS) for the production of enriched uranium;
- chemical enrichment of uranium by liquid-liquid extraction and solid-liquid ion exchange;
- gaseous diffusion enrichment of uranium, abandoned in 1987;
- research aimed at lithium-6 production;
- design of facilities to handle large amounts of tritium; and

- weaponization[2].

10. The documents also provide detailed information regarding matters such as:

- the organizational structure of PC3 and the staff assigned to the various project operations;
- the code numbers and description of the technical tasks assigned to each PC3 unit;
- achievements and failures in the execution of the various technical tasks;
- the identification and coding of eight dedicated sites directly associated with PC3 activities (Tuwaitha, Al Atheer, Tarmiya, Al Sharqat, Al Qaim, Al Jezira, Al Rabiya and Dijla): and
- procurement and foreign suppliers.

11. The IAEA believes that some of the documents seized by its inspectors in the course of the sixth inspection mission at the premises of the Engineering Design Centre and then forcibly taken from them were not returned. To the IAEA's repeated requests for their return Iraq has consistently responded that no documents were withheld and that, in any event, no programme documents were any longer available as all of them had been destroyed. This response is not credible, but the IAEA has neither information on the location of such documents, nor any means to retrieve them.

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[2] Weaponization refers to knowledge, techniques, technologies and engineering activities required to construct a nuclear explosive device capable of being delivered to a target and of achieving a nuclear yield, assuming that fissile material is available.

12. Detailed analyses of the seized Iraqi documents have led to the following general conclusions:

- These documents provide a detailed account of the achievements and failures of PC3 from its inception until mid-1990 (i.e., shortly before Iraq's invasion of Kuwait). The most recent technical report among them is dated 11 November 1990[3] and describes the progress in weaponization during the period 1 January 1990 - 31 May 1990. The absence of more recent documentation gives rise to uncertainties regarding PC3 activities in the several months which preceded the Gulf War, i.e. between June 1990 and January 1991.

- None of the seized documents contains information on gas centrifuge research and development, but there are indications that it was started in mid-1987, when the gaseous diffusion project was abandoned. There is evidence in at least two documents that in mid-1987 a complement of 150 staff who were working on gaseous diffusion were transferred to gas centrifuge enrichment, responsibility for which was transferred from the Iraqi Atomic Energy Commission (IAEC) to another organisation. The documents do not mention which organisation assumed responsibility, but other sources indicate that it was the Ministry of Industry and Military Industrialisation (MIMI).

13. This leaves two questions open: the first concerns the progress made by PC3 from June 1990 to January 1991; the second concerns the completeness of the IAEA's knowledge regarding gas centrifuge enrichment - nothing concerning this project was found in the seized documentation.

14. As to the first question, the Iraqi authorities assert that the invasion of Kuwait brought all Iraqi Atomic Energy Commission (IAEC) activities to a virtual halt; the sanctions imposed by Security Council resolution 661 of 6 August 1990 interrupted the flow of equipment and material needed for completing the industrial installations associated with the project and efforts had concentrated on measures to protect existing facilities from the threat posed by air raids - for instance the moving of foreign nationals who had been taken hostage to potential targets (this certainly happened in the case of Tuwaitha). The IAEA has no evidence to contradict these assertions. In fact, the absence of technical reports documenting progress after May 1990 could be an indication that the situation had become chaotic.

15. As to the second question, the Iraqi authorities maintain that, before the commencement of IAEA inspections in Iraq under resolution 687 (1991), orders were received from a senior government level requiring them to collect all sensitive documents and to surrender them to the Iraqi army for destruction. They also maintain that the IAEA's ability to get hold of documents in the course of the sixth inspection mission was due to negligence for which those responsible were punished. One of the seized documents records the fact that a considerable

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[3] As already mentioned the date-spread of seized documents included the year 1991. However, the documents dated 1991 were mostly of an administrative nature.

amount of documentation had been brought to the "previously agreed place" on 6 June 1991 - in the interval between the first and second inspection missions. There is however no corroboration that this documentation was subsequently destroyed, nor is it considered credible that a complete master set of such documentation has not been retained.

16. The absence of original Iraqi documentation describing the progress of Iraq's gas centrifuge programme has compelled the IAEA to concentrate considerable effort on the independent verification of the correctness and completeness of the declarations concerning this programme contained in Iraq's "Full, Final and Complete Report" and in other statements.[4] This independent verification has included investigations through suppliers (from whom the IAEA has obtained copies of original drawings of the Iraqi gas centrifuge components) and the assistance of a group of centrifuge technology experts. The consensus of these experts is that the picture of the centrifuge design and manufacturing activities carried out in Iraq is coherent, with no obvious gaps, and essentially complete.

17. The importance of verifying what materials and equipment subject to control and monitoring under the Plan has actually been imported by Iraq, is not limited to the centrifuge area. As discussed in the previous six-month report, the verification process is a lengthy one, calling for co-operation from concerned Member States and various suppliers. To date this investigation has entailed enquiries involving 186 companies in 28 countries.

III. MEDIA REPORTS ON POSSIBLE NON-COMPLIANCE

18. A recently published article in the British press reports that an Iraqi scientist formerly employed by the Iraqi Atomic Energy Commission informed a British journalist that Iraq had resumed its nuclear weapons programme and was attempting to conceal it. According to this article, before his disappearance, the Iraqi scientist provided to the journalist copies of documents to support his contentions.

19. The IAEA has received and reviewed the documents in question[5]. If genuine, they could suggest that theoretical computer-based studies related to nuclear weapons design are being conducted in Iraq. Initial analysis could not establish the documents' authenticity. Iraqi authorities deny the existence of

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[4] When the "Full, Final and Complete Report" (FFCR) was handed over by the Iraqi authorities, in July 1992, the IAEA was informed that the FFCR was not a free-standing document and that it had to be assessed together with a number of "Annexes". These "Annexes" were the written replies by Iraq to the detailed questions asked in the course of inspections, the documents supplied in the course of the "seminars" held on the different projects including the gas centrifuge project and the thousands of seized documents.

[5] The documents consist of a single page memorandum in Arabic and a single page excerpt from a memorandum in Arabic.

such a programme, and challenge the authenticity of the documents pointing to many inconsistencies in content and in form. The IAEA is pursuing this matter with a view to determining the authenticity and clarifying the substance of these documents.

20. The IAEA will keep the Security Council informed on the outcome of its investigation.

IV. IMPLEMENTATION OF THE PLAN

A. INSPECTION ACTIVITIES

21. Since the issuance of the previous six-month report on 10 October 1994, the IAEA has carried out one inspection mission in Iraq, the twenty-seventh. The detailed report on this inspection is contained in document S/1994/1443, dated 22 December 1994. As indicated in that document, the report was the last of the series of mission-specific reports. With the establishment of the continuous presence in Iraq of the NMG, the IAEA's activities in Iraq will henceforth be described in semi-annual reports to the Security Council on the implementation of the Plan. The main focus of 27th inspection mission was the implementation of activities associated with the Plan.

B. ONGOING MONITORING AND VERIFICATION ACTIVITIES

22. The activities involved in ongoing monitoring and verification include: inspections at facilities, installations and sites; environmental monitoring; verification of the use of items described in Annex 3 of the Plan; verification of information provided by Iraq in accordance with paragraph 22 and Annex 2 of the Plan; verification of information acquired from Member States, from aerial surveillance and from open sources and assessed to warrant further investigation; and interviews with Iraqi personnel who were connected with Iraq's former nuclear programme.

23. When the NMG was established in August 1994, the conversion of the section of the Canal Hotel which was to accommodate the BMVC was in its early stages. The conversion is now practically complete and the internal structure has been modified to provide office, laboratory and storage space for each of the monitoring groups and centralised facilities for the communications, medical and administrative units. The normal complement of the NMG is three to four persons; they are accompanied on inspections by personnel from the Iraqi National Monitoring Directorate (NMD). In most instances the NMD escorts are not given prior notice of the location to be visited.

24. When the need arises additional persons with particular expertise are assigned to the NMG to carry out specific tasks - e.g., the twice yearly hydrological survey of the watersheds of the Tigris and Euphrates. The fifth such survey, carried out during the 27th inspection mission, involved the collection of samples of water, sediment and biota at 16 locations selected from the 52 locations for which baseline data had been established in the original survey, completed in November 1992. This part of the IAEA's environmental monitoring programme is a powerful and proven technique for the detection of

activities such as the operation of nuclear reactors or of facilities for the extraction of plutonium from irradiated nuclear material.

25. This environmental monitoring programme also includes aerial and ground based gamma radiation surveys, the collection of airborne particulate matter and the sampling - by the well established "smear" technique - of materials deposited on surfaces.

26. Seals with unique verifiable signatures are attached by the IAEA to critical items of equipment in order to provide confirmation that such items are still at their respective declared locations. Seals are also used to prevent the undetected use of controlled equipment. A few cases of unauthorised removals of seals have occurred in the past two years, but in each case it was possible to verify that the identity and integrity of the equipment from which the seal had been removed had not been compromised.

27. IAEA video surveillance and recording equipment installed in two major engineering establishments has, with the assistance of the Special Commission, been modified in order to enable television signals to be transmitted from monitored locations to the BMVC. This capability provides the NMG with the opportunity to observe, at any time, activities in the areas under video surveillance. As the activities in some Iraqi engineering establishments are of interest both to the NMG and to the Ballistic Missile Group, the relevant video signals are routed to both groups regardless of which group had installed the video surveillance system.

28. Since the establishment of the IAEA's continuous presence in Iraq 23 facilities have been inspected for the first time: three facilities identified by Iraq as the recipients of monitored items for which it had requested release or change of use; two facilities where previously undeclared items of dual-use equipment (co-ordinate measuring machines) were located; 16 facilities declared as having a means of power supply greater than 10MWe; one facility at which radioisotopes are used or stored; and one facility which was inspected on the basis of information obtained from Member States. The inspections at facilities in the Basrah area having a means of power supply greater than 10MWe revealed shortcomings in the inventory of such facilities declared by Iraq: information was obtained through the inspection process on an additional sixteen such facilities. The Iraqi NMD has been requested to prepare a correct declaration of the inventory of such facilities.

29. An inspection carried out on the basis of information received from Member States was conducted at a facility directly across the Tigris River from Tarmiya, the primary production-scale EMIS uranium enrichment plant. The inspection, which was unannounced, showed the facility to be a water purification plant which had been Iraq's largest producer of bottled drinking water. The facility was closed down in 1994 owing to a lack of process chemicals and of materials for making plastic bottles.

30. The level of practical co-operation by Iraqi counterparts in facilitating the carrying out of IAEA field activities continues to be high. The Iraqi personnel accompanying IAEA inspectors are usually punctual and helpful, and have been effective in locating the appropriate contact persons at facilities being inspected. Similarly, the facility personnel have proved willing and effective

in providing materials and services required for the installation of video surveillance systems.

C. PROVISION OF INFORMATION BY IRAQ

31. Since the acceptance by Iraq, on 26 November 1993, of its obligations under Security Council resolution 715 (1991), Iraq has made three semi-annual declarations of, inter alia, the inventories of all facilities, installations and sites where nuclear activities of any kind have been or are carried out, or which are suitable for carrying out such activities, and of all material, equipment and items in Iraq identified in Annex 3 of the Plan.

32. To facilitate the preparation of these declarations, the IAEA prepared a series of forms (with detailed guidance for their completion) setting out the information requirements (detailed in paragraph 22 and Annex 2 of the Plan) with respect to: facilities, installations and sites; nuclear and non-nuclear material; equipment; isotopes; and existing and proposed programmes of nuclear activities. These forms have since been revised and reproduced in computer database format, which has led to significantly improved efficiency both in Iraq's production of the required declarations and in their evaluation by the IAEA.

33. In ongoing discussions the IAEA is seeking Iraq's co-operation in improving the quality and completeness of this information and particularly in producing a consolidated declaration which will bring together all of the information provided in the three semi-annual declarations. Iraq has given an assurance that the necessary work is in progress and has also agreed to provide computer-generated site and building plans to improve the quality of the drawings so far provided.

D. RELEASE, RELOCATION AND CHANGE OF USE OF EQUIPMENT, MATERIALS AND FACILITIES

34. Requests for the release of - or for permission to relocate - equipment and material are processed in consultation with the Special Commission, as are requests for permission to change the use of monitored buildings. Items for which release, relocation or change of use is approved remain subject to ongoing monitoring and verification at a frequency commensurate with their significance.

E. NUCLEAR MATERIAL ACCOUNTANCY

35. As previously reported, all weapons-usable nuclear material has been removed from Iraq - the final shipment, to the Russian Federation, having taken place in February 1994. This material, which comprised the fresh and irradiated fuel from the Tuwaitha research reactors and had been subject to routine verification under the safeguards agreement with Iraq, is fully accounted for and is under IAEA safeguards at its storage location in the Russian Federation. The irradiated fuel removed from Iraq has been reprocessed, and the recovered uranium has been mixed with natural uranium to reduce its enrichment in uranium 235 to less than 20%. The nuclear material remaining in Iraq comprises 1.8 Tonnes of low-enriched uranium, 6 Tonnes of depleted uranium and 540 Tonnes of natural uranium, in a variety of physical and chemical forms, in sealed storage under IAEA control. The IAEA has carried out a detailed assessment of Iraq's procurement, production and usage of nuclear material and, taking into account the declared usage, considers that the inventory is correct, within the normal limits of accuracy.

F. DATA ANALYSIS AND PROCESSING CENTRE

36. Over a year ago the IAEA established a Data Analysis and Processing Centre to support its ongoing activities in Iraq. This Centre maintains a computerised information system for the management, analysis and retrieval of information. The databases which make up the computerised information system contain - inter alia - textual, photographic and sensor data collected during inspections, data obtained from a variety of open sources, seized Iraqi documents, information provided by Member States, overhead imagery, Iraqi declarations, and other data on projects and sites in Iraq. The system, which currently contains the equivalent of some twenty thousand pages of text, is used in the preparation and support of field activities and provides the capability to record, process, search and retrieve data both at Headquarters and in the field. The data cover all relevant activities, facilities, materials and equipment known to exist in Iraq.

37. Information from Member States, overhead imagery, taken by U-2 and helicopter-based cameras (obtained and interpreted with the assistance and co-operation of the Special Commission), environmental monitoring data, and information gathered from inspections, are analyzed and correlated to identify sites which should be further investigated.

V. MECHANISM FOR MONITORING EXPORTS AND IMPORTS

38. In paragraph 7 of resolution 715 (1991), the Security Council requested the "Committee established under resolution 661 (1990)" [6], the Special Commission and the Director General of the IAEA "to develop in co-operation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including the present resolution and the plans approved

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[6] Referred to as the Sanctions Committee.

hereunder".

39. The export/import monitoring mechanism is an important element of the Plan for ongoing monitoring and verification of Iraq's undertaking not to acquire proscribed nuclear weapons capabilities. Such monitoring is of indefinite duration and is to continue until the Security Council decides that it should be terminated.

40. To develop this mechanism, the Special Commission and the IAEA held a number of informal consultations with the Sanctions Committee and a group of international experts. On 15 February 1995, a report setting out the envisaged mechanism was formally submitted to the Sanctions Committee for its consideration and approval and for subsequent transmission to the Security Council.

VI. REVISION OF ANNEX 3 OF THE PLAN

41. Before submitting to the Security Council the tripartite proposal referred to in Section V above, the Sanctions Committee expressed the opinion that a more detailed list of items to be reported under the export/import monitoring mechanism should be developed.

42. Accordingly, the IAEA has, in consultation with international experts in export control, revised Annex 3 of the Plan. Under cover of a letter dated 17 March 1995, the Director General transmitted the revised Annex 3 to the United Nations Secretary-General for translation and subsequent presentation to the Security Council.[7] The revised Annex 3 will also be made available to the Sanctions Committee for its information.

43. The revision of Annex 3 of the Plan had three main objectives:

a) <u>The identification of items prohibited to Iraq under paragraph 12 of resolution 687 (1991)</u>:

The Plan provides that the existence in Iraq of any items in this category must be declared by Iraq. Pursuant to paragraph 12 of resolution 687, the IAEA may dispose of such items through destruction, removal, or rendering harmless as appropriate. The transfer to Iraq of any item in this category and of technology directly associated with - or required for - the development, production or use of the item is prohibited. The prohibited items also include some of the dual-use commodities listed in the Annexes of the "Guidelines for Transfers of Nuclear-Related dual-use Equipment, Material, and Related Technology"[8].

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[7] The IAEA may, after informing the Security Council, revise the Annexes of the Plan in the light of information and experience gained in the implementation of resolutions 687 and 707 and of the Plan.

[8] See IAEA documents INFCIRC/254/Rev.1/Part 1 (issued in July 1992), INFCIRC/254/Rev.1/Part 2, (issued in July 1992), and INFCIRC/254/Rev.1/Part 1/Mod.2, (issued in April 1994).

b) The identification of items which are directly relevant to research and development activities in the area of peaceful applications of nuclear energy and which are not prohibited to Iraq under paragraph 12 of resolution 687 (1991):

Such items - which include nuclear materials, dedicated-use nuclear equipment, research and power reactors and components thereof, nuclear-fuel-cycle-related plants, components thereof and related technology - must be declared by Iraq to the IAEA under the provisions of the Plan. While resolution 687 (1991) does not prohibit the conduct of non-weapons-related nuclear activities by Iraq, paragraph 3 vi) of resolution 707 (1991) currently restricts nuclear activities in Iraq to the "use of isotopes for medical, agricultural or industrial purposes". This restriction is to remain operative until such time as "the Security Council determines that Iraq is in full compliance with this resolution [707 (1991)] and paragraphs 12 and 13 of resolution 687 (1991), and the IAEA determines that Iraq is in full compliance with its safeguards agreement with the Agency".

Until the restriction is lifted, the transfer to Iraq of items in this category is prohibited - except for those items related to the non-proscribed nuclear applications in medicine, agriculture and industry. Items in this category which are located in Iraq are controlled by the IAEA under its Plan to verify Iraq's compliance with this restriction. When the restriction is lifted, such items will be released for use by Iraq, their use being monitored under the Plan.

The transfer to Iraq of items for use in non-proscribed nuclear activities (i.e. the use of isotopes for medical, agricultural or industrial purposes) continues to be circumscribed by the sanctions imposed on Iraq by the Security Council in resolutions 661 (1990) and 670 (1991).

c) The identification of dual-use material, equipment and related technology which could be of significant value in the pursuit of a nuclear weapons programme or of nuclear fuel cycle activities prohibited under resolution 687 (1991):

As indicated in sub-paragraph a) above, some such items are prohibited to Iraq, notwithstanding their dual-use nature. Non-prohibited dual-use items present in Iraq at the end of the Gulf War are required to be declared to the IAEA under the Plan and their use is monitored by the IAEA. Until the sanctions provided for in resolutions 661 (1990) and 670 (1990) are lifted, the transfer to Iraq of dual-use items for essential civilian needs is regulated by the sanctions. Subsequently, it will be covered by the export/import monitoring mechanism.

VII. RESUMPTION OF TECHNICAL ASSISTANCE AND COOPERATION IN AREAS NOT PROHIBITED BY SECURITY COUNCIL RESOLUTIONS

44. As indicated in the previous report on the implementation of the Plan, the IAEA has agreed to examine the extent to which technical assistance and co-operation might be accommodated within the constraints of the relevant Security Council resolutions. In so doing the IAEA took into account the practice followed by other United Nations organizations in securing the concurrence of the

Sanctions Committee with the provision to Iraq of assistance which involves the transfer of funds, equipment or material.

45. The IAEA has identified five technical assistance projects approved by the Board of the Governors which, in the view of the IAEA, fall outside the proscription of the conduct of nuclear activities by Iraq imposed by resolutions 687 (1991) and 707 (1991). Of the five projects, three relate to agriculture (mutation techniques for crop protection; immunoassay techniques for rinderpest diagnosis; improvement of soil fertility) and two relate to nuclear medicine (rehabilitation of nuclear medicine services; rehabilitation of radiotherapy services for cancer).

46. As these projects involve the provision by the IAEA of experts, equipment and fellowships and - in two cases - the funding of visits by Iraqi scientists to foreign laboratories, the IAEA has requested, and recently received from, the Sanctions Committee its concurrence that the provision of the assistance in question falls within the limited exceptions to the sanctions provided for in resolution 661 (1990) and for approval of the start of project implementation.

VI. SUMMARY AND CONCLUSIONS

47. As indicated in the previous six-month report, the IAEA is confident that the essential components of Iraq's clandestine nuclear programme have been identified and have been destroyed, removed or rendered harmless and that the scope of the past programme is well understood. This assessment is based not only on the verification of Iraqi statements, which may be presumed to be biased and incomplete, but also on information gathered during inspections, on information provided by suppliers and Member States and, to a great extent, on an analysis of the large cache of original Iraqi documentation which was seized in Iraq by the teams of the sixth and seventh IAEA inspection missions. Despite the absence in this cache of original Iraqi documentation regarding its gas centrifuge programme and the suspected withholding by Iraq of some documents from the cache, the areas of residual uncertainty, regarding Iraq's former nuclear weapons programme, have been progressively reduced to a level of detail, the full knowledge of which is not likely to affect the overall picture.

48. The IAEA's extensive knowledge of the scope of Iraq's past nuclear weapons programme has facilitated the design and implementation of a credible and sustainable plan for the ongoing monitoring and verification of Iraq's compliance with its obligations under the relevant Security Council resolutions.

49. The Plan has been operational since the end of August 1994, when the continuous presence of IAEA inspectors in Iraq - the Nuclear Monitoring Group - was established. The refurbishing and modification of the Canal Hotel in Baghdad to accommodate the Baghdad Monitoring and Verification Centre is practically complete and the Centre provides adequate facilities for the implementation of the Plan.

50. During the period under review the Nuclear Monitoring Group has conducted more than 160 inspections at some 70 facilities, including 23 facilities not previously inspected.

51. A number of requests for the release, relocation and change of use of equipment material and facilities, to be used in non-nuclear activities, have been approved, with the concurrence of the Special Commission and in compliance with the provisions of paragraph 3 iii) of Security Council resolution 707 (1991).

52. Progress has been made in developing the export/import monitoring mechanism called for in paragraph 7 of resolution 715 (1991) to monitor any future sale or supply to Iraq of items relevant to the implementation of Section C of resolution 687 (1991), to the temporary restriction on nuclear activities in Iraq pursuant to paragraph 3 iv) of resolution 707 (1991) and to the Plan approved in resolution 715 (1991).

53. At the suggestion of the Sanctions Committee and in accordance with the procedures for amending the Annexes provided for in the Plan, the IAEA has revised Annex 3 thereof with the assistance of international experts on export control. The revised version reflects the need to provide customs and export control authorities with a more detailed description of items subject to notification.

54. The Plan provides a sound basis for the ongoing monitoring and verification of Iraq's compliance with the requirements of the relevant Security Council resolutions in the area of nuclear weapons and will continue to be developed as technical needs arise and as advanced technologies become available.

55. The implementation of the Plan does not foreclose the exercise by the IAEA of its right to investigate any aspect of Iraq's former nuclear weapons programme. Indeed, vigorous exercise of the right - provided in the Plan - to immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation represents an important confidence-building measure.

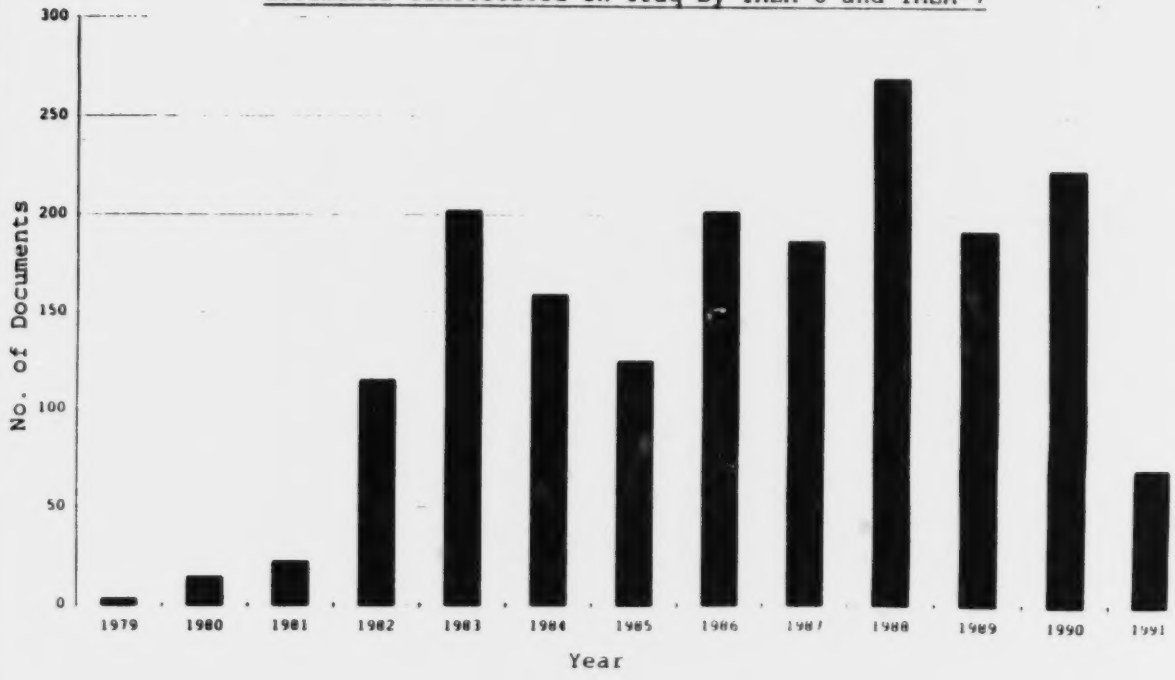
56. Recent information made available through the media suggesting the existence of a secret project which, prima facie, could be related to a nuclear weapons programme, requires further investigation to verify its authenticity.

Attachment

Year	Count
	564*
1979	3
1980	14
1981	22
1982	115
1983	202
1984	159
1985	125
1986	202
1987	187
1988	270
1989	192
1990	223
1991	70
Total	**2348**

* *Includes all documents without a date*

Distribution by date of issuance of 2348 documents confiscated in Iraq by IAEA-6 and IAEA-7



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S/1995/288
11 April 1995

ORIGINAL: ENGLISH

LETTER DATED 11 APRIL 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you with reference to the report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (S/1995/255) of 31 March 1995 and, upon instructions of my Government, I have the honour to state the following.

In paragraph 34 of the above-mentioned report, it is stated: "In March, United Nations airfield monitors working at civilian radar screens at Surcin Airport near Belgrade observed 26 tracks of likely helicopter flights moving from Bosnia and Herzegovina into the Federal Republic of Yugoslavia". The report also states that none of the alleged flights was observed by Mission personnel from the ground.

On the basis of extensive investigation, however, the competent Yugoslav authorities can confirm that throughout March 1995 there were only six helicopter flights from the Republic of Srpska to the Federal Republic of Yugoslavia and vice versa. The purpose of all those flights was the transport of the critically wounded. Four of those flights were effected with the authorization of UNPROFOR and two without. Those two were emergency medevac flights that had to be effected since the transportees were in a life-threatening condition and it was not possible to wait for approval. Other than those, there were no flights from the Republic of Srpska to the Federal Republic of Yugoslavia and vice versa.

It is absolutely excluded that the flights referred to in the report of the Co-Chairmen, except the six medevac flights mentioned earlier, were those carried out by helicopters of the Federal Republic of Yugoslavia or the Republic of Srpska. The difference in number of flights observed (26) by the United Nations airfield monitors at Surcin Airport and the number which actually took place (6), can be explained by the UNPROFOR reports regarding apparent violations of the ban on flights in the airspace of Bosnia and Herzegovina where, on several occasions, it is explicitly stated that the alleged flights above the territory of the Federal Republic of Yugoslavia faded away from the screen and it could not be determined where the helicopters landed.

A possible explanation is that what is involved are flights of helicopters of the Bosnian Muslim side which flew from central Bosnia to the Muslim enclaves in eastern Bosnia close to the border with the Federal Republic of Yugoslavia.

Such a conclusion is justifiable from the technical point of view since it is illogical that the radar of the Regional Flight Control at Surcin Airport (Belgrade) is more reliable in detecting flight tracks of helicopters at a greater distance (in the territory of Bosnia and Herzegovina) than at a shorter one over the territory of the Federal Republic of Yugoslavia itself.

It is also possible that special electronic devices were engaged to deliberately simulate flight patterns and put the blame on the Bosnian Serb or the Yugoslav side.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/289
11 April 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the continued violations of the cease-fire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 21 March and 2 April 1995, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Iranian violations of the cease-fire and the 1991 Tehran agreement, 21 March-2 April 1995

1. 21 March 1995

At 1430 hours a khaki-coloured Iranian helicopter was seen at coordinates 9102 (Zayd) at an altitude of 1,200 metres. It engaged in reconnaissance activities and then headed north. At 1515 hours the same aircraft was seen in the Asyud area at coordinates 7635. It subsequently returned to Iranian territory.

At 1500 hours the aircraft was again seen to the east of Majnoon al-Shamali. It landed at the abandoned Iranian position at coordinates 5655. Five minutes later it returned to Iranian territory.

2. 22 March 1995

At 0915 hours 11 soldiers were seen digging a firing trench at the Iranian position at coordinates 9101 (Zayd).

3. 24 March 1995

At 0940 hours an Iranian Gazelle helicopter was seen heading towards the area opposite Naft Khaneh, flying parallel to the boundary 3 kilometres inside Iranian territory.

4. 24 March 1995

At 0950 hours an Iranian helicopter was seen coming from the Iranian rear. It carried out reconnaissance of the boundary area and then hovered over the Iranian Ayn al-Ghazal post at coordinates 737196. At 1000 hours the aircraft returned to the Iranian rear.

5. 24 March 1995

At 1000 hours an Iranian helicopter was seen in the Hawd Sumar area. It flew over the international boundary line for five minutes and then disappeared in the direction of the Iranian rear.

6. 24 March 1995

At 1000 hours an Iranian helicopter was seen flying in front of the Iranian positions. It then landed 3 kilometres away at coordinates 9111 opposite the Kalliyah slope. At 1125 hours the aircraft took off, heading inside Iranian territory.

7. 27 March 1995

At 1015 hours five small boats each with three soldiers on board were seen on the Iranian side opposite Ra's al-Bayshah. They headed north, parallel to the Iranian shore.

8. 27 March 1995

At 1020 hours a helicopter was seen beyond Ak Dağ mountain heading towards the Khusrawi post. It disappeared in the direction of Iranian territory.

9. 27 March 1995

At 1300 hours an Iranian helicopter was seen flying over the Iranian positions located at coordinates 9011 and delivering to them material contained in white bags. It then returned to the Iranian rear.

10. 27 March 1995

At 1340 hours an Iranian helicopter was seen coming from the Iranian rear. It carried out reconnaissance of the border area from the Kalliyah slope to the Iranian Ayn Ghazal border post at coordinates 737196.

11. 29 March 1995

At 0800 hours an Iranian helicopter was seen flying at low altitude over the Iranian posts opposite the Mimak slope. It hovered for a short time and then returned to the Iranian rear.

12. 29 March 1995

At 0940 hours an Iranian helicopter was seen coming from the Iranian rear in the direction of Hawd Sumar. It carried out reconnaissance and then, flying parallel to the boundary line, headed towards the Sayf Sa'd area inside Iranian territory 2 kilometres from the international boundary.

13. 1 April 1995

At 1415 hours an Iranian helicopter was seen coming from the Iranian rear opposite the Ayn al-Abd post at coordinates 2447. It flew towards the Shihabi post and then returned to the Iranian rear.

14. 1 April 1995

At 1430 hours an Iranian helicopter flying at low altitude was seen coming from the city of Mehran towards the Iranian boundary opposite the Iraqi Al-Hasan al-Askari, Ta'an and Sayhah posts. At 1440 hours the aircraft returned to the Iranian rear.

15. 2 April 1995

At 1100 hours a Gazelle helicopter was monitored coming from the Iranian rear in the direction of Hawd Sumar. It carried out reconnaissance parallel to the boundary line in the direction of Sayf Sa'd.

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Security Council

Distr.
GENERAL

S/1995/290
12 April 1995

ORIGINAL: ENGLISH

LETTER DATED 12 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We request, on an urgent basis, that the Security Council consider the rapidly deteriorating and eroding implementation of its mandate in the Republic of Bosnia and Herzegovina. At the time of the adoption of Security Council resolution 982 (1995) on 31 March 1995, extending the current mandate of the United Nations Protection Force (UNPROFOR) in the Republic of Bosnia and Herzegovina, we were encouraged that there would be a concerted effort to rehabilitate UNPROFOR's mandate to an acceptable level of functionability. Unfortunately though, the course towards further atrophy has been continued, with dangerous consequences for peace efforts and deadly results for our civilians.

In resolution 982 (1995) the Security Council called upon the Secretary-General to respond to our concerns as outlined in our letter to him of 29 March 1995. By the terms of that resolution, the Secretariat still has over six weeks to respond. We remain prepared to cooperate constructively in this longer term evaluation and effort. Unfortunately, the current situation and continuing deterioration necessitate a more urgent response, and there must be an immediate reversal. Otherwise, UNPROFOR's mission in the Republic of Bosnia and Herzegovina will be fatally injured and subject to early termination. The following three factors especially highlight the dangers:

1. In clear violation of the "safe area"/"exclusion zone" status of Sarajevo, the besieging Serbian forces have employed banned heavy weaponry to shell civilians, as well as to engage in sniping and closure of "lifeline" routes. UNPROFOR's spokeswoman in Sarajevo, Captain Myriam Sochacki, indicated that the shelling was coming from banned mortars and was directed at civilians. To quote: "There are no military objects in that area. It seems they were targeting civilians". These acts have returned Sarajevo to its darkest hours and victimization. It is not overly dramatic to exclaim that Sarajevo is now truly being strangled.

2. The access road from the airport to Sarajevo now has a firmly entrenched Serbian checkpoint, in total contradiction to the Agreement of

5 June 1992 that was the basis for UNPROFOR assuming control of the airport under the terms of resolutions 761 (1992) and 764 (1992). Not having the will to compel the removal of this ultra vires checkpoint, apparently UNPROFOR has decided to acquiesce. This is in direct contradiction to several Security Council resolutions. It is also in clear violation of our mutual agreement to delegate authority for Sarajevo airport to UNPROFOR. It is up to the Security Council to address the contravention of its own resolutions, and we trust that it will. On the other hand, it is our right to respond to these ever more substantive breaches of an agreement on our sovereign territory.

3. Sarajevo is by no means the only or most menaced city in the Republic. Over the last few days, the fate of the "safe area" of Gorazde, also defined as an "exclusion zone", has been highlighted. Civilians have been targeted by shelling, sniping and continued deprivation. Only yesterday there was an extended and intensive period of unabated shelling. Once again, UNPROFOR/NATO did not answer with the necessary response that they had been committed to consistent with Gorazde's presumably elevated internationally protected status.

The Security Council has adopted the view in its resolution 982 (1995) "to urge" the Government of the Republic of Bosnia and Herzegovina, in several paragraphs, to undertake certain measures or to exhibit restraint. More relevantly and appropriately, we believe that we are most justified in requesting that the Security Council ensure that a mission empowered under its authority, in fact, be true to its mandate and commitments as it applies to our sovereign territory.

May I ask for your kind assistance in distributing the present letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/291
12 April 1995

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993, 911 (1994) of 21 April 1994, 950 (1994) of 21 October 1994 and 972 (1995) of 13 January 1995,

Recalling also its resolution 788 (1992) of 19 November 1992, in which it decided, under Chapter VII of the Charter of the United Nations, that all States shall, for the purpose of establishing peace and stability in Liberia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Liberia until the Security Council decides otherwise, and in which it decided also that the embargo shall not apply to weapons and military equipment destined for the sole use of the peace-keeping forces of the Economic Community of West African States (ECOWAS) in Liberia, subject to any review that may be required in conformity with the report of the Secretary-General,

Having considered the reports of the Secretary-General dated 24 February 1995 (S/1995/158) and 10 April 1995 (S/1995/279) on the United Nations Observer Mission in Liberia (UNOMIL),

Deeply concerned that the cease-fire in Liberia has broken down, precluding the full deployment of UNOMIL and preventing UNOMIL from fully carrying out its mandate,

Noting with deep concern that in violation of resolution 788 (1992) arms continue to be imported into Liberia, exacerbating the conflict,

Welcoming the decision of ECOWAS to hold a summit of Heads of State in May 1995,

1. Decides to extend the mandate of UNOMIL until 30 June 1995;

2. Urges all Liberian parties to implement the Akosombo Agreement (S/1994/1174) and the Accra Agreement (S/1995/7) by re-establishing an effective cease-fire, promptly installing the Council of State, and taking concrete steps towards the implementation of the other provisions of the Agreements;

3. Encourages the ECOWAS States to promote implementation of the Akosombo and Accra Agreements, and to continue to do all in their power to facilitate a political settlement in Liberia;

4. Urges all States, and in particular all neighbouring States, to comply fully with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992), and to that end decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To seek from all States information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 8 of resolution 788 (1992);

(b) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;

(c) To recommend appropriate measures in response to violations of the embargo imposed by paragraph 8 of resolution 788 (1992) and provide information on a regular basis to the Secretary-General for general distribution to Member States;

5. Expresses its appreciation to the Chairman of ECOWAS for his initiative in organizing a regional summit on Liberia and to the Government of Nigeria for agreeing to host it, and urges all parties to participate;

6. Demands once more that all factions in Liberia strictly respect the status of personnel of the ECOWAS Monitoring Group (ECOMOG) and UNOMIL, and those of organizations and personnel delivering humanitarian assistance throughout Liberia and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

7. Requests the Secretary-General to report to the Security Council by 15 June 1995 on the situation in Liberia, including whether there is an effective cease-fire and whether UNOMIL can carry out its mandate, and on the status of contributions of financial and logistical resources from the international community in support of the troops participating in ECOMOG, and notes that the Council will consider the future of UNOMIL in the light of the Secretary-General's report;

8. Decides to remain actively seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/1995/292
13 April 1995

ORIGINAL: ENGLISH

Argentina, Oman, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its previous relevant resolutions,

Concerned by the serious nutritional and health situation of the Iraqi population, and by the risk of a further deterioration in this situation,

Convinced of the need as a temporary measure to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to the following conditions:

(a) Approval by the Committee established by resolution 661 (1990), in order to ensure the transparency of each transaction and its conformity with the other provisions of this resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase

price at fair market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of this resolution, and of any other directly related financial or other essential transaction;

(b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of this resolution;

2. Authorizes Turkey, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (c) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph 6 below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk-Yumurtalik pipeline in Turkey authorized by paragraph 1 above;

3. Decides that paragraphs 1 and 2 of this resolution shall come into force at 00.01 Eastern Standard Time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of 180 days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);

4. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the initial 180 day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and expresses its intention, prior to the end of the 180 day period, to consider favourably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;

5. Further decides that the remaining paragraphs of this resolution shall come into force forthwith;

6. Directs the Committee established by resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of this resolution, and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of prevailing market conditions, and that, for the purposes of the arrangements set out in this resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;

7. Requests the Secretary-General to establish an escrow account for the purposes of this resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;

8. Decides that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and requests the Secretary-General to use the funds deposited in the escrow account:

(a) To finance the export to Iraq, in accordance with the procedures of the Committee established by resolution 661 (1990), of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:

(i) Each export of goods is at the request of the Government of Iraq;

(ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;

(iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;

(b) To complement, in view of the exceptional circumstances prevailing in the three Governorates mentioned below, the distribution by the Government of Iraq of goods imported under this resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 million and 150 million United States dollars every 90 days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any 90 day period, the Secretary-General may provide a proportionately smaller amount for this purpose;

(c) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;

(d) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of this resolution;

(e) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);

(f) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established by resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities

directly necessary therefor, of the parts and equipment permitted under paragraph 9 below;

(g) To make available up to 10 million United States dollars every 90 days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;

9. Authorizes States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990):

(a) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established by resolution 661 (1990) of each export contract;

(b) Activities directly necessary for the exports authorized under subparagraph (a) above, including financial transactions related thereto;

10. Decides that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1991) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of this resolution, and following approval in each case by the Committee established by resolution 661 (1990), exceptionally be financed by letters of credit, drawn against future oil sales the proceeds of which are to be deposited in the escrow account;

11. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;

12. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of this resolution and to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the initial 180 day period on the implementation of those arrangements;

13. Requests the Secretary-General to take the actions necessary to ensure the effective implementation of this resolution, authorizes him to enter into any necessary arrangements or agreements, and requests him to report to the Council when he has done so;

14. Decides that petroleum and petroleum products subject to this resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of the sale are not diverted from the purposes laid down in this resolution;

15. Affirms that the escrow account established for the purposes of this resolution enjoys the privileges and immunities of the United Nations;

16. Affirms that all persons appointed by the Secretary-General for the purpose of implementing this resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations, and requires the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of this resolution;

17. Affirms that nothing in this resolution affects Iraq's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;

18. Also affirms that nothing in this resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;

19. Decides to remain seized of the matter.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/135
S/1995/293
13 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 149 of the preliminary list*
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to register the rejection by the Islamic Republic of Iran, in the strongest possible terms, of the allegation levelled against my Government by the representative of the Zionist regime in document A/50/133-S/1995/282. Such baseless allegations, which abound in today's politically charged climate, are absolutely false and in our opinion diversionary. They intend to portray abroad a perverted picture of the actual reality in the occupied territories by blaming others. The prevailing realities in the occupied territories are but the consequence of the brutal policies of the Zionist regime against the Palestinian people. Contrary to the allegation by the representative of the Zionist regime, I wish to stress that the course of events and developments in the occupied territories have nothing to do with the Islamic Republic of Iran. The unfounded allegations of the Zionist regime against the Islamic Republic of Iran to the contrary stem from the inherent expansionist agenda of that regime and have but serious repercussions for the peace and security of the region.

It will be appreciated if the present letter is circulated as a document of the General Assembly, under item 149 of the preliminary list, and of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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* A/50/50.

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UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/50/136
S/1995/294
13 April 1995
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fiftieth session
Item 44 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Arab Group for April 1995, I have the honour to enclose herewith a copy of resolution 5459 adopted by the 103rd session of the Council of the League of Arab States on 29 March 1995. It concerns Lebanese hostages and detainees held in Israeli prisons and detention centres.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 44 of the preliminary list, and the Security Council.

(Signed) Ali Mohamed Osman YASSIN
Permanent Representative
of the Republic of the Sudan
to the United Nations
Chairman of the Arab Group

* A/50/50.

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ANNEX

Resolution adopted on 29 March 1995 by the Council of the League of Arab States

The Council of the League,

Having considered the General Secretariat's report and the recommendation of the Council of Political Affairs,

Strongly condemning inhuman Israeli practices in occupied Lebanese territory in southern Lebanon and the western Bekaa, particularly the abduction and arbitrary detention of innocent people and their incarceration without trial in Israeli prisons and detention centres run by their forces,

Taking note with regret of Israel's failure to implement United Nations Security Council resolutions 425 (1978), 426 (1978) and 509 (1982),

Recalling the principles of international law concerning the protection of human rights, particularly the Universal Declaration of Human Rights and the Geneva Conventions of 1949 relative to the Protection of Civilian Persons in Time of War, and The Hague Convention of 1907,

Noting Israel's refusal to allow the International Committee of the Red Cross or other international organizations to visit detainees or investigate humanitarian and health conditions and the circumstances in which some of them have died,

Recalling also the resolutions adopted by the Commission on Human Rights in Geneva,

1. Condemns continued Israeli human rights violations in southern Lebanon and the western Bekaa, exemplified by the abduction and arbitrary detention of civilians, the destruction of their houses, seizure of their property, expulsion from their land and the shelling of villages and peaceful civilian areas;

2. Requests the international community, especially the United Nations, to use the necessary measures to force Israel to desist from such violations and to implement Security Council resolutions 425 (1978), 426 (1978) and 509 (1982), which demand Israel's complete, immediate and unconditional withdrawal from all Lebanese territory, and respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Requests also that the international community should take all possible measures against Israel in order to secure the release of all Lebanese prisoners and abducted persons held in Israeli prisons or detention centres run by their forces in contravention of the provisions of international law and the Geneva Conventions of 1949 and The Hague Convention of 1907;

4. Urges Member States to make every effort through international organizations to make arrangements with the Government of Israel, the State

which is occupying territory in southern Lebanon, to enable the International Committee of the Red Cross and the other humanitarian organizations to visit those detained in Khiam and Marjayoun and ascertain the conditions of the detainees, to provide them with humanitarian and health care and to allow their relatives to visit them regularly;

5. Also requests that the investigations provided for by international conventions should be carried out into the deaths of Lebanese detainees held in Israeli prisons and detention centres, and that the proper compensation should be paid in accordance with the applicable rules of international law;

6. Decides to remain seized of the matter until the Lebanese territory is liberated and the detainees released.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/137
S/1995/295
13 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 81 and 86 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING OPERATIONS
IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

At the request of my Government, I have the honour to transmit herewith the text of a memorandum of the Ministry of Foreign Affairs of Ukraine on the question of implementation by the United Nations of activities for the maintenance of international peace and security (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under items 81 and 86 of the preliminary list, and of the Security Council.

(Signed) Anatoli M. ZLENKO
Ambassador
Permanent Representative of Ukraine
to the United Nations

* A/50/50.

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Annex

[Original: Russian]

Memorandum of the Ministry of Foreign Affairs of Ukraine on the question of the implementation by the United Nations of activities for the maintenance of international peace and security

1. Ukraine, as one of the founding Members of the United Nations, fully supports the activities undertaken by the United Nations, in accordance with the Charter of the United Nations, for the maintenance of international peace and security and pays great attention to the enhancement of the arrangements and means for deterring potential aggressors and to the procedures for ensuring a rapid and effective response to acts of aggression or violence and threats to international peace and security and for the settlement of regional conflicts.

2. Ukraine considers the peace-keeping operations carried out under the auspices of the United Nations to be one of the key elements of the Organization's peacemaking activities, supplementing the process for the pacific settlement of disputes under Chapter VI of the Charter of the United Nations.

3. Ukraine believes that the activities of the United Nations with regard to crisis and conflict prevention and resolution will continue to be carried out on the basis of the resolutions of the Security Council, in strict compliance with the existing criteria (impartiality, non-intrusive and non-interventionist character, a clearly defined mandate based on the agreement, where possible, of all the parties concerned, and carried out, in principle, at the request of Member States). In "regional approaches" to peace-keeping operations, United Nations activities must be based on the provisions of Chapter VIII of the Charter and must comply strictly with the principle whereby no State may arrogate to itself the right to claim to be the "main guarantor" of peace and security in the region.

4. The globalization of United Nations activities for the maintenance of international peace and security which has been observed in recent years, the multifunctional character of current peace-keeping operations and the participation of United Nations forces in the settlement of internal conflicts make it necessary for the international community to adopt new approaches to the planning, structure and control of such activities.

The implementation of the new generation of peace-keeping operations, the separate components of which are developed and institutionalized in the mandate even after the operation has been launched, not only opens up certain prospects, but also contains within it a number of obvious problems.

The most complex of these problems is how to keep the development of operations within the rigid framework of the non-use of force by peacemaking contingents against the parties to a conflict, except when it is essential for self-defence.

It is for this reason that Ukraine fully shares the point of view of those Member States which consider that the approaches of the United Nations and the Secretary-General to traditional peace-keeping operations and to operations which bring into play the provisions of Chapter VII of the Charter, in other words coercive measures, must be fundamentally different. Attempts to modify the legal basis of operations (as occurred, for instance, in Somalia) are most likely to lead to the disruption of the entire operation, since they give rise to an obvious disparity between the new functions and the goals previously agreed upon.

In this connection, Ukraine believes that, in cases where it is necessary to change the legal basis of an operation in the context of the Charter of the United Nations, it is essential not only to change the mandate of that peace-keeping operation but also to modify the entire operation (its structure, resource base, plan of deployment and evacuation), in other words to launch a new operation.

5. In these conditions, the role of the troop-contributing countries is growing significantly. Timely consultations between them help to avoid misunderstandings in relations between the commanders of national contingents and the commanders of sectors and the headquarters of the operation, and prevent any negative political consequences which might arise as a result of the emergence of new functions.

In this connection, Ukraine believes that the cooperation of countries which might potentially contribute troops to take part in a proposed peace-keeping operation should be enlisted even during the preparatory phase of the operation.

6. The practice of deploying peace-keeping operations in various regions demonstrates the need for careful study of the question of the criteria for the representation of national contingents in peace-keeping operations. Ukraine believes that these criteria should take into account, inter alia, historical, political and ethno-geographical factors and the possible reaction of the local population and of the political forces in conflict to the use of the troops of any given country in an operation in the territory of their State.

7. To date there is no comprehensive permanent system of peace-keeping operations, only a continuing series of ad hoc operations.

In this connection, Ukraine supports proposals that consideration should be given to generally acceptable ways and means of elaborating a declaration on United Nations peace-keeping operations, which would cover the basic organizational and practical aspects and would contain recommendations concerning ways of enhancing the effectiveness of such operations.

To this end, in particular, it would be advisable to study the question of establishing an expert group, under the Special Committee on Peace-keeping Operations, with the participation of leading experts in the field of peace-keeping, representatives of the main troop-contributing countries and of other interested Member States, to make use of the positive experience which has been

gained in this field by the Ad Hoc Group on Peace-keeping of the North Atlantic Cooperation Council.

8. The problem of enhancing the operational efficiency and the effectiveness of the management of peace-keeping operations by the United Nations is an important one. In this connection, Ukraine welcomes the measures taken to streamline the structure of the Department of Peace-keeping Operations and believes that the strengthening of the staff of the Department will enhance the capacity of the Organization in matters relating to the planning, command and management of peace-keeping operations.

At the same time, many practical problems relating to the command and management of peace-keeping operations could be resolved through the revitalization of the provisions of the Charter of the United Nations, in the first place, of Article 47 of the Charter, which defines the role and functions of the Military Staff Committee. According to paragraph 4 of that Article, "the Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees".

Ukraine believes it would be expedient to consider the question of the expansion of that practice, and to study the possibility of including in those regional subcommittees representatives of the troop-contributing countries participating in a peace-keeping mission deployed in that region.

9. One of the main aspects of a special nature continues to be the problem of the safety and security of peace-keeping personnel. Ukraine was one of the initiators of the drafting of the Convention on the Safety of United Nations and Associated Personnel, which dealt with questions relating to the status and safety of peace-keeping personnel.

Ukraine believes that the security of personnel must be an integral part of the planning of any peace-keeping operation and that all appropriate measures should be taken by the United Nations and Member States to ensure their security.

10. The continuing use of snipers by the parties to a conflict against the personnel of United Nations peace-keeping forces is a matter of serious concern. It is essential to give urgent consideration to the question of the legal and moral responsibility of the parties to a conflict for the use of snipers against United Nations peacemakers.

We believe that the actions of snipers of the parties to a conflict against United Nations personnel could serve as a legitimate basis for the use of force by United Nations peace-keeping contingents in response.

11. The question of compensation for military personnel who have been disabled and for members of the families of military personnel who have died while serving in United Nations peace-keeping forces is also important.

The inadequacy of current United Nations arrangements for the payment of compensation to the families of peace-keeping personnel who have been killed or

wounded requires attention. So far, no unified scale has been formulated for the payment of compensation by the United Nations Secretariat. Reports on the death of peace-keeping personnel (Board of Inquiry reports), without which the United Nations Secretariat does not compensate Governments for the sums paid to the families of peace-keepers who have been killed or to those who have been wounded, are sent by the commander from the site of the peace-keeping operation to the Headquarters in New York only with considerable delay.

12. The problem of the training of qualified personnel for peace-keeping operations requires further study.

Ukraine welcomes the efforts made by the Secretary-General to develop a training manual, including a curriculum module and a programme of correspondence instruction, which would enable troop-contributing countries to train peace-keeping personnel in a unified and cost-effective manner, in accordance with agreed standards and needs.

Ukraine also supports the idea of training national instructors for subsequent use in the training of peace-keeping personnel, in addition to national peace-keeping training programmes, and in the implementation of measures to strengthen leadership cadres for peace-keeping operations.

We believe it is important to establish centres for the training of peace-keeping personnel on both a national and a regional basis.

With a view to enhancing the effectiveness of the coordination of the training of peace-keeping staff, it is essential that a personnel training coordinator in the Department of Peace-keeping Operations should serve as a focal point for coordination between the United Nations and national and international peace-keeping training centres.

13. The effectiveness of the strengthening of United Nations peace-keeping potential depends to a significant extent on the existence of adequate financial resources for the carrying out of peace-keeping operations. Ukraine fully agrees that the financing of peace-keeping operations is the collective obligation of all Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations.

At the same time, we believe that the assessment of contributions to peace-keeping operations should be fairer and take into account the real capacity to pay of specific Member States, and should be more balanced, having greater regard for the needs of the civilian and humanitarian, as well as the political and military, goals of peace-keeping operations. Further study is needed of the question of alternative sources of financing for peace-keeping operations which would be acceptable to the Secretary-General of the United Nations.

14. In this analysis of the nature and evolution of current peace-keeping operations, the foregoing observations are not exhaustive. The delegation of Ukraine intends to take an active part in the drafting by the Special Committee of recommendations on the theory and practice of peace-keeping activities with a view to enhancing their political, military, moral, humanitarian and material effectiveness.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/296
13 April 1995

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF ANGOLA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the following communiqué from the Government of the Republic of Angola, dated 12 April 1995, and request that this document be circulated as a document of the Security Council.

(Signed) Afonso VAN-DUNEM "MBINDA"
Ambassador
Permanent Representative

95-10891 (E) 130495 170495

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Annex

Communiqué from the Government of the Republic of Angola

1. The Government of the Republic of Angola continues to watch with much care and appreciation the deliberations of the Security Council in its oversight and involvement with the ending of our tragic civil war. As the Council is once again considering its actions related to Angola, we want to take this opportunity to add information to that which is already before you.

Most importantly, and with due respect for the very important efforts being undertaken by the Secretary-General and his Special Representative, the Government wishes to register its concern relative to the Secretary-General's report of 7 April 1995, concerning the situation in Angola, since we believe that the report is not au courant with the present situation in the Angolan peace process.

In particular, the lack of cooperation imputed to the Angolan Government in the report and presented as a condition for the deployment of the peace-keeping forces in Angola (the military contingent of UNAVEM III) does not accurately reflect the present state of the Government's execution of its obligation in the peace process.

2. Indeed, the imprecision of the report is already causing serious damage to the peace process as a result of the inhibitions and fears which it could eventually provoke, fundamentally within the international community. As a result, the Government of the Republic of Angola considers it necessary to clarify the various situations described by the Secretary-General in his report.

In particular, the Government wishes to clarify, both for its citizens and for the entire world, the following:

- With respect to the effective cessation of hostilities, there has been substantial progress. However, the replenishment of logistical supplies for UNITA continues to be verified, coming by air from the Republic of Zaire, in flagrant violation of the relevant resolutions of the Security Council.

- Concerning the installation of verification mechanisms by the United Nations, the deployment of military observers and of police has been fully concluded. There is currently a United Nations presence in 59 localities within Angola - in full conformity with the peace plan.

- Concerning the disengagement of forces, the Government considers this process completed. [See the Lusaka Protocol, section concerning the bilateral cease-fire, Phase one, step four, paragraphs (a) and (b).]

- Concerning the military data, the Government has provided all the information requested by the United Nations, in conformity with the provision in the Lusaka Protocol relative to Phase one, step four, paragraph (c), concerning the bilateral cease-fire.

- With respect to the anticipated beginning of demining, the Government has already notified the United Nations that it has allocated 800 demining troops; they are only waiting for UNAVEM III to present its plan of action. There are no reasons whatsoever at this time, at least on the side of the Government, that would justify the unfortunate delay in the demining process.

- Concerning the identification of the areas for quartering UNITA troops, the Government believes that it is exclusively the responsibility of UNAVEM III to prepare these areas, and would note that this has already been agreed to in the military meeting between the Government and UNITA under the sponsorship of the United Nations.

- Concerning the installation for UNAVEM III, the Government wants it known that it has put at the disposition of UNAVEM III all that it has been asked to provide.

- As for the Catumbela Air Base, the Government wants to emphasize that it has never refused UNAVEM III the use of the runway. Moreover, this problem has been solved already, as it is connected with the deployment of logistical units which are planned to operate out of the Catumbela airport.

- Related to the Agreement between the United Nations and Angola on the status of the United Nations peace-keeping operations in Angola (Acordo Sede), the Government admits that there were some delays, but they have already been corrected - but that it is due to be signed before 15 April.

3. The Government of the Republic of Angola calls on the Security Council members to ask the Secretary-General to update his report of 7 April 1995, using the information currently in the possession of his Special Representative, so that the Security Council can deliberate over Angola on the basis of documentation that reflects the present realities of the peace process.

4. The Government of the Republic of Angola reiterates, one more time, its firm decision to continue its commitment in good faith to its implementation of the Lusaka Protocol.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/297
9 April 1995

ORIGINAL: ENGLISH

PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

I. INTRODUCTION

1. The present report is submitted in response to Security Council resolution 965 (1994) of 30 November 1994, by which the Council extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months, until 9 June 1995. Under that resolution, the Council requested me to report by 9 February and 9 April 1995 on the implementation of UNAMIR's mandate, the safety of populations at risk, the humanitarian situation and progress towards the repatriation of refugees. The present report covers developments since my report of 6 February (S/1995/107).

2. During the reporting period, a mission of Security Council members visited Rwanda on 12 and 13 February 1995 and submitted its findings to the Council in a report of 28 February (S/1995/164). The Mission stressed that, as long as 2 million Rwandese remained in camps in or outside their country, the situation in Rwanda would remain inherently unstable. In this connection, it underlined the interrelated issues facing the Government: repatriation, reconciliation, reconstruction and the need for justice. It called on the Government to intensify its efforts to create favourable conditions and an auspicious climate inside the country to encourage and facilitate repatriation.

II. POLITICAL ASPECTS

3. It has been a year since Rwanda was engulfed in a genocide that left at least 500,000 people dead. In the message I sent to the Government and people of Rwanda on the first anniversary of those horrors, I conveyed my deepest sympathy and stressed that never again should the perpetrators of such crimes be permitted to get away with impunity. I also pledged the continued support of the United Nations to the building of a new Rwandese society based on tolerance, harmony and justice.

4. In the nine months since the new Government of Rwanda assumed office, the overall situation in the country has improved considerably. The private sector has revived in an atmosphere of relative security; markets, shops and small

businesses have sprung up, agricultural activities have restarted and schools have reopened.

5. Radio UNAMIR commenced broadcasting on 16 February and is on the air seven days a week in three languages, in an effort to present objective information to the Rwandese people at home and in refugee camps abroad. Plans are in hand to increase Radio UNAMIR's broadcast time.

6. In my report of 6 February, I noted that, while Rwanda continued to face problems in regard to repatriation, reconciliation and rebuilding its administrative structures, the overall situation was evolving positively. Over the past two months, however, tensions and frustrations have surfaced and the security situation in the country has deteriorated. The Prefect of Butare was murdered in an ambush on 4 March; armed saboteurs have reportedly entered Rwanda; and more and more people are being detained by the Government.

7. These developments have contributed to a considerable decline in the repatriation of Rwandese refugees from Zaire, the United Republic of Tanzania and Burundi. In addition, over 200,000 internally displaced persons remain in camps because they fear insecure conditions in their home communes or because of intimidation by extremist elements in the camps.

8. There are reports that the armed forces of the former Rwandese Government are training and rearming. Over the past two months, soldiers of the forces of the former Government have reportedly been apprehended in Rwanda, carrying arms, grenades and anti-personnel mines. As a result, the Rwandese Patriotic Army has tightened security and strengthened its border patrols.

9. These measures against possible infiltrators have also led to incidents involving United Nations and international staff. United Nations vehicles and staff have been searched and supplies of goods and equipment have been stopped at Kigali airport. In addition, government authorities at the middle and lower levels are often uncooperative. Last month, Radio Rwanda initiated a propaganda campaign of surprising virulence and broadcast unfounded allegations of misconduct by UNAMIR personnel. After a protest by my Special Representative, however, Radio Rwanda has reverted to a more balanced attitude towards UNAMIR.

10. The relationship between UNAMIR and the Rwandese Patriotic Army has been discussed by my Special Representative with the President of Rwanda, Mr. Pasteur Bizimungu, and with the Vice-President and Minister of Defence, Major-General Paul Kagame. Both the President and the Vice-President reaffirmed their Government's support for UNAMIR and said minor incidents should be cleared up at fortnightly joint staff meetings. The Vice-President added that some of the frustrations, especially at the lower level, were the result of the perception that the Government could not exercise complete sovereign authority in Rwanda as long as there was a large UNAMIR military presence in the country. In this connection, both the President and the Vice-President felt that, at an appropriate time, UNAMIR's mandate and its possible phase-out from Rwanda should be discussed.

III. LEGAL AND HUMAN RIGHTS ASPECTS

11. In response to the rise in tension in parts of the country, the Human Rights Field Operation in Rwanda strengthened its monitoring activities during the reporting period. As of 1 April 1995, the Field Operation was composed of 113 staff in 11 field offices, including 55 short-term staff; 30 United Nations Volunteers (UNVs); 12 human rights officers from the European Union and 8 experts provided by the Governments of the Netherlands, Norway and Switzerland. It is expected that a further contingent of some 28 human rights officers contributed by the European Union, as well as additional UNVs, will be deployed on 19 April.

12. The human rights officers work directly with the population, as well as with government officials and civic leaders throughout the country. They seek to promote respect for the rights of individual citizens and a sense of confidence and stability.

13. The establishment of an effective judicial system is one of the most pressing problems facing the Government. Although efforts are often made by the Government and its security forces to follow correct procedures, arrests are sometimes arbitrary. Many individuals are held without hope of timely trial proceedings. There are approximately 27,000 people in Rwanda's desperately overcrowded prisons. Kigali prison, for example, built to accommodate 1,500 detainees, currently houses over 7,000. On 16 March, 24 people died in a police detention cell.

14. The Technical Cooperation Unit of the Field Operation recently issued a comprehensive programme addressing the needs of the Government in establishing a civil society based on respect for human rights. This programme, which was developed in close consultation with the relevant government ministries, includes recommendations on measures to facilitate the prosecution of suspects accused of serious human rights violations. It also proposes a strategy for introducing human rights education in Rwandese schools and government institutions.

15. The United Nations High Commissioner for Human Rights, Mr. José Ayala-Lasso, has launched an international appeal with a view to assisting the Government of Rwanda to re-establish the judicial system. He has also appealed for funds to recruit more human rights monitors who, as part of their duties, would work closely with the judiciary. During his visit to Rwanda from 1 to 3 April, the High Commissioner had the opportunity to discuss many of the above issues with government officials.

IV. INTERNATIONAL TRIBUNAL

16. By its resolution 977 (1995) of 22 February 1995, the Security Council decided that the International Tribunal for Rwanda would have its seat at Arusha (United Republic of Tanzania). A team composed of experts from the United Nations Secretariat and the International Tribunal for the Former Yugoslavia will visit the United Republic of Tanzania shortly to secure premises for the

International Tribunal for Rwanda and to negotiate the necessary agreements with the Tanzanian authorities.

17. On 7 March, I addressed a letter to all States Members of the United Nations, as well as to non-member States maintaining permanent observer missions at United Nations Headquarters, inviting them to nominate judges for the Tribunal. I requested that these nominations be made by 7 April 1995.

18. The Office of the Prosecutor for the International Tribunal was established in Kigali in January 1995 and the Deputy Prosecutor, Mr. Rakotomanana, took office on 20 March. In a statement issued by the Chief Prosecutor, Judge Goldstone, on 5 April, it was announced that the Tribunal was processing about 400 cases and that the first case for trial was expected in the second half of the year. Since January, Tribunal staff have been gathering information and evidence in Rwanda and other countries. In view of the importance and volume of the work involved, more expert personnel are required and efforts to secure the necessary staff are under way. I welcome the voluntary contributions pledged by some Member States to support the activities of the Tribunal and I appeal for more such assistance to enable the Tribunal to carry out its tasks.

V. MILITARY ASPECTS

19. As at 1 April, UNAMIR's force strength stood at 5,529 troops and 297 military observers (see annex). Since my report of 6 February, an Indian signals company has been deployed, the inter-African battalion has been replaced by a Senegalese battalion of 241 all ranks, the Malawi company of 181 and the Australian medical support group of 293 have both been rotated and the Canadian logistics support group of 95 has been fully deployed.

20. UNAMIR has been working under additional pressure as a result of the recent deterioration in security. Instances of harassment and intimidation directed at UNAMIR and other United Nations personnel, property and installations have, as noted earlier, increased during the reporting period.

21. On 15 February, UNAMIR headquarters at Mutura, east of Gisenyi, where the Tunisian battalion is located, was hit by grenades and small arms fire in a deliberate and unprovoked attack against a UNAMIR signals installation. The following day, while investigating the circumstances surrounding the attack, eight members of a UNAMIR patrol were injured by a land-mine probably planted by the attackers. On 5 March, three grenades were thrown at the Nigerian contingent's guardpost at Byumba, injuring two soldiers, one of them seriously.

22. These are the first incidents since the end of the civil war in which United Nations troops appear to have been deliberately targeted. My Special Representative and the Force Commander have informed the authorities of their serious concern and members of the Government have expressed regret for these attacks, indicating that they were isolated acts. Investigations are under way to determine the circumstances and the identities of those involved.

23. Mechanisms have been put in place to enable UNAMIR and the Rwandese Patriotic Army to liaise and exchange views at both the command and the staff

officer levels. These arrangements facilitate the resolution of complaints and enhance cooperation and coordination. However, the worsening security situation has strained relations between UNAMIR and the Rwandese Patriotic Army. Indeed, the Rwandese Patriotic Army has frequently restricted the movement of UNAMIR personnel and denied it access to certain areas. This has affected UNAMIR's ability to discharge its mandated tasks fully and effectively.

24. Difficulties have also been encountered on the occasion of troop rotations, when UNAMIR personnel have been held up or denied entry at Kigali airport. It should be recalled, in this connection, that the Model Status of Forces Agreement (A/45/594), which reflects the customary principles and practices of United Nations peace-keeping operations, contains provisions regulating the entry, residence and departure of personnel of peace-keeping operations. The agreement on the status of UNAMIR and its personnel, concluded on 5 November 1993, contains identical provisions. Following the modification of UNAMIR's mandate under Security Council resolution 918 (1994) of 17 May 1994 and the installation of the present Government in July 1994, an exchange of letters to constitute an agreement between the United Nations and the Government of Rwanda was initiated. The purpose of this was not to reaffirm the applicability of the agreement concluded on 5 November 1993, which in accordance with well-established principles of international law is not in doubt, but to supplement it by reflecting the changes in UNAMIR's mandate. However, despite several reminders, the Government has not yet replied. It is my hope that this matter will be promptly resolved and that the Government will agree to honour its obligations under the agreement.

25. There is a pressing need for a comprehensive mine-clearance programme. However, the Government of Rwanda has not yet responded to the offers of the United Nations for assistance in mine clearance and minefield survey and marking. Such a programme would, among other things, open up many areas to returnees, including agricultural fields. A team of mine experts from the United States Department of Defense recently visited Rwanda and held discussions with UNAMIR concerning a possible plan of action in this area. In the meantime, UNAMIR explosives demolition teams continue to carry out limited mine-clearing operations, especially in urban areas.

VI. CIVILIAN POLICE

26. In my report of 6 February, I noted that UNAMIR was pursuing its efforts to assist the Government of Rwanda in training a new integrated national police force. The training of 300 gendarmes and 20 instructors, which started on 19 December 1994, is expected to conclude by the end of April. The Government has requested that UNAMIR train an additional 400 gendarmes before beginning the training programme for 100 instructors, which was scheduled to commence in June.

27. Following a request from the Government, a UNAMIR civilian police observer has been assigned to assist the Chief of Staff of the National Gendarmerie in determining operational requirements to ensure that, upon completion of their training, gendarmes are ready and properly equipped for deployment.

28. Owing to financial and material constraints, the training programme for communal police, which was scheduled to begin in February, has been delayed. The Government has informed UNAMIR that it is intensifying its efforts to obtain the necessary resources to permit training to begin at the earliest opportunity. Once funding is secured, UNAMIR will begin a training programme for approximately 1,500 communal police.

29. As part of its monitoring and investigatory activities, the UNAMIR civilian police component has teams of 3 to 4 observers in each of the 11 prefectures in the country. These observers work in close cooperation with local authorities, United Nations agencies and non-governmental organizations, and assist human rights monitors and UNAMIR personnel in the performance of their respective duties.

30. UNAMIR continues to face an acute shortage of civilian police personnel, a situation which seriously impairs the discharge of its expanded tasks. While, in accordance with resolution 965 (1994), the strength of UNAMIR's civilian police component was increased to 120 police observers, only 58 are currently deployed. These observers are from Djibouti (7), Germany (9), Ghana (10), Guinea-Bissau (8), Mali (10), Nigeria (10) and Zambia (4).

31. As stressed in previous reports, there is a particularly urgent need for additional French-speaking civilian police observers. In this connection, on 22 February, I again approached Member States, including 13 French-speaking countries, to ascertain their interest in providing additional civilian police observers. I have not, so far, received any positive responses.

VII. HUMANITARIAN ASPECTS

32. At the United Nations Development Programme (UNDP) round-table conference, held at Geneva on 18 and 19 January 1995, the international donor community pledged some $587 million to support the Government's rehabilitation and reconstruction programme. The slow process of turning donor pledges into actual support, however, has led to problems and growing frustration on the ground.

33. The humanitarian programme in Rwanda maintains its emphasis on the provision of emergency relief to the affected population, as well as on activities aimed at enabling the Government to function effectively. Progress in these areas, however, has been affected by the paucity of resources available. To date, a relatively small portion of the contributions pledged at the UNDP round-table conference has been converted into actual disbursements. This is also true of the response to the 1995 consolidated inter-agency humanitarian assistance appeal launched in January 1995. The Trust Fund for Rwanda totalled $4,710,857 as at 1 April, most of it being disbursed to support the national judicial system.

34. There are substantial food shortages within the country and the subregion. The recent Food and Agriculture Organization of the United Nations (FAO)/World Food Programme (WFP) crop assessment indicates that the January 1995 harvest was significantly smaller than in previous years. If the threat of starvation and malnutrition is to be averted for some 3 million refugees and internally

displaced persons from Rwanda and Burundi, rapid and substantial food aid from the international community is required. In the meantime, United Nations non-governmental organizations are distributing seeds and tools to the affected population. There is also a programme of seed and livestock protection for the benefit of vulnerable groups. The WFP food-for-work programmes seek to promote the rehabilitation of infrastructure and the strengthening of food security.

35. Problems affecting children continue to receive special attention. United Nations and non-governmental organizations are registering unaccompanied minors and attempting to reunite families. So far, approximately 3,000 children have been reunited with their families and psychosocial counselling and trauma recovery programmes are expected to be enlarged in the near future. Agreement has been reached with the Ministry of Justice to permit 400 children between the ages of 11 and 17, imprisoned for alleged involvement in the genocide, to be moved to a separate location for children only. As a result of consultations with the Ministry of Defence, some 4,000 "child soldiers" are expected to be demobilized shortly.

36. There have been some improvements in the health sector. Nearly half of the 280 vaccination centres which were operational before April 1994 have reopened and a programme to equip them has begun. Some 26 nutritional centres for unaccompanied children have reopened and receive supplementary food aid. It is planned to have 100 nutritional centres operational during 1995. Projects relating to family planning, maternal care and the human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) are being promoted vigorously.

37. The humanitarian agencies have intensified their efforts to ensure wider access to education. This has included the distribution of basic classroom resources and supplies and an emergency curriculum for over 140,000 primary schoolchildren. Teacher emergency packages have been distributed to over 7,000 teachers serving about 600,000 children in Rwanda. Moves are under way to adapt the packages for young people in prisons and for literacy and basic skill-training programmes, especially for youth and women. A pilot project for implementing teacher emergency packages in refugee camps was launched in February.

38. Activities are taking place, within the context of Opération Retour, to expedite the voluntary return of internally displaced persons. Six camps for internally displaced persons have been closed and some 40,000 people have been resettled in their home communities, where agencies are implementing rehabilitation projects. The remaining camps hold more than 200,000 displaced people. In certain quarters in Rwanda, these camps are viewed as breeding grounds for destabilization activities and the Government is anxious to close them as soon as possible.

39. The recent deterioration in the security situation, together with the lack of resources, has had a negative impact on the resettlement of returnees. The increased screening of them by the Rwandese authorities has also inhibited progress towards a faster rate of refugee repatriation. Recent arrangements made by the Office of the United Nations High Commissioner for Refugees with the Governments of the United Republic of Tanzania and Zaire, aimed at assuring

security in Rwandese refugee camps in those countries, were expected to help reduce intimidation and thus permit a higher rate of repatriation. However, most of the estimated 60,000 refugees who returned to Rwanda during the first two months of the year were from the 1959 case-load. Most of the more recent refugees who have returned so far are women and children. United Nations organizations are facilitating their repatriation through reception and transport facilities.

40. Returnees from the 1959 case-load are currently estimated at over 600,000. Their resettlement has become a major problem for the authorities, since many of them have illegally occupied the homes and land of recently departed refugees, some of whom have also begun to return home. The Government urgently needs resources to accommodate both groups of returnees in a manner that ensures justice and promotes reconciliation. To facilitate their reintegration, returnees will have to be provided with assistance in education, housing and job training. A grave concern associated with the returnees from the 1959 case-load is the large number of cattle (estimated at 500,000) that they have brought with them. Lack of adequate grazing areas and water for these herds, combined with livestock diseases, threaten an ecological disaster.

41. Solutions to the humanitarian challenges faced by Rwanda are a vital element in international efforts to contribute to national reconciliation and economic recovery. Continued assistance is indispensable if progress is to be achieved, particularly in view of the disastrous consequences of the war and the continuing lack of resources available to the Government.

VIII. ADMINISTRATIVE AND FINANCIAL ASPECTS

42. The General Assembly, by its resolution 49/20 of 29 November 1994, authorized me to enter into commitments for a four-month period from 10 December 1994 to 9 April 1995, at a monthly rate not to exceed $15 million gross, in connection with the maintenance of UNAMIR. This amount was based on the then authorized strength of 320 military observers, 5,500 troops, 90 civilian police and 398 civilian personnel. Subsequently, the Security Council authorized an increase in the strength of the civilian police component from 90 to 120 police observers. My report on the financing of UNAMIR for the period from 10 December 1994 to 9 June 1995 and for the maintenance of the mission on a monthly basis after 9 June 1995 (A/49/375/Add.2) has been submitted to the General Assembly for consideration at its current session.

43. As at March 1995, unpaid assessments to the UNAMIR Special Account amounted to $46.5 million, and the total amount of outstanding assessed contributions for all peace-keeping operations was $1,662.8 million.

IX. OBSERVATIONS

44. The progress achieved in Rwanda over the past nine months is threatened by renewed tensions. It is incumbent on the Government and the international community to take the steps necessary to put Rwanda back on the road to stability, national reconciliation and reconstruction.

45. These goals are likely to remain elusive, however, as long as 2 million Rwandese remain in camps outside their country. The indignation and deep sense of injustice felt by many Rwandese after the genocide is certainly understandable, but it cannot be allowed to frustrate the healing process that must take place if Rwanda is to be restored to peace and harmony. The Government is therefore urged to make more determined efforts to foster a climate of trust and confidence and to create conditions that will encourage refugees and displaced persons not suspected of involvement in the genocide to believe that they can return to their homes in safety. At the same time, steps must be taken to bring to trial, at the earliest opportunity, those who are guilty of genocide.

46. I therefore welcome the adoption by the Security Council on 27 February of resolution 978 (1995), in which it called on Member States to arrest persons against whom sufficient evidence existed of criminal responsibility for genocide. It is my hope that Member States will take the necessary follow-up action and help ensure that the International Tribunal for Rwanda becomes operational as soon as possible. The need for such steps is underlined by the recent disturbing reports of military training and an arms build-up by elements of the armed forces of the former Government of Rwanda in neighbouring countries. The Governments on whose territory such activities may be taking place must ensure that their countries do not become bases for incursions into Rwanda.

47. Rwanda's needs with regard to the rehabilitation of its administrative structures and social and economic reconstruction are great. It is clear that limited resources mean that the Government cannot by itself address all the problems facing the country. It needs the assistance and cooperation of its neighbours and the international community. I therefore urge donors to do all they can to accelerate the flow of aid to Rwanda. In this connection, Member States may wish to consider channelling funds through the Trust Fund for Rwanda, which can disburse assistance quickly and effectively.

48. The increasing harassment of United Nations and international staff serving in Rwanda is another source of serious concern. UNAMIR remains an essential confidence-building mechanism and its presence adds an important dimension to the Government's efforts to promote a climate of stability, trust and security. UNAMIR's presence also helps to create conditions conducive to the resettlement of refugees and displaced persons and to the provision of reconstruction assistance. I therefore urge the Government to extend to UNAMIR the necessary cooperation without which the Mission will not be able to carry out its mandate and the international community will find it more difficult to respond to Rwanda's rehabilitation needs. I should also like to remind the Government of its responsibility for the safety and security of all UNAMIR personnel, as well as for ensuring that their freedom of movement and access throughout the country is respected.

49. UNAMIR's present mandate, as defined under Security Council resolutions 918 (1994) and 965 (1994), will expire on 9 June. Senior Rwandese officials have pointed out that the situation in the country has changed since last July and that, at the appropriate time, the mandate and role of UNAMIR should be reviewed. I have, accordingly, requested my Special Representative to consider,

in consultation with the Government, adjustments which could be made to the Mission's mandate. On the basis of his advice, I will, in my next report, submit to the Security Council recommendations on the role which UNAMIR could play in Rwanda after 9 June 1995.

50. The Council has emphasized the need for an international conference on security, stability and peace in the region. In accordance with the Council's most recent call for States of the region to organize such a conference, I intend to carry out necessary consultations with those States with a view to determining the type of assistance they may require in this regard.

51. In closing, I should like to thank my Special Representative, Mr. Shaharyar M. Khan, the Force Commander, Major-General Guy Tousignant, and all UNAMIR civilian, military and civilian police personnel, for their contribution to peace and stability in Rwanda under very trying circumstances.

Annex

Composition of the United Nations Assistance Mission for Rwanda
as at 31 March 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	302		302		302
Austria		15	15		15
Bangladesh	1	33	34		34
Canada	105	20	125		125
Chad	2		2		2
Djibouti			-	7	7
Ethiopia	811		811		811
Fiji		1	1		1
Germany			-	9	9
Ghana	842	35	877	10	887
Guinea		17	17		17
Guinea-Bissau			-	5	5
India	833	17	850		850
Jordan			-	3	3
Malawi	185	14	199		199
Mali	199	31	230	10	240
Nigeria	333	17	350	10	360
Poland		2	2		2
Russian Federation		17	17		17
Senegal	241		241		241
Tunisia	840	10	850		850
United Kingdom	2		2		2
Uruguay		23	23		23
Zambia	833	20	853	4	857
Zimbabwe		24	24		24
Total	5 529	297	5 826	58	5 884

Map No. 3807.1 Rev. 9 UNITED NATIONS
March 1995

Department of Public Information
Cartographic Section

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/134
S/1995/298
14 April 1995
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Fiftieth session
Items 68 and 70 of the preliminary list*
CONCLUSION OF EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Fiftieth year

Letter dated 13 April 1995 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Republic of Kazakhstan on the granting of security guarantees by the nuclear Powers which are permanent members of the Security Council to the non-nuclear States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (see annex). I should be grateful if the text of this letter and the annex to it were circulated as an official document of the General Assembly, under items 68 and 70 of the preliminary list and also of the Security Council.

(Signed) A. ARYSTANBEKOVA
Ambassador
Permanent Representative of the
Republic of Kazakhstan to the
United Nations

* A/50/50.

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ANNEX

Statement dated 12 April 1995 by the Ministry of Foreign Affairs of Kazakhstan

The Republic of Kazakhstan welcomes the granting of security guarantees by the nuclear Powers which are permanent members of the Security Council to the non-nuclear States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). This marks a new, positive stage in the development of the world nuclear policy.

Kazakhstan, which is a Party to the Treaty and advocates its indefinite and unconditional extension, has consistently considered the granting of security guarantees to the non-nuclear States necessary as a basic condition for establishing a comprehensive system for the non-proliferation of weapons of mass destruction.

This decision by the nuclear Powers is assuming particular importance on the eve of the forthcoming NPT Review and Extension Conference in New York, during which the subsequent fate of one of the principal international disarmament agreements will be decided. Kazakhstan views the indefinite extension of the Treaty as an essential part of efforts to achieve a more stable and secure world. The speedy conclusion of a comprehensive and complete nuclear-test-ban treaty would be the logical culmination of this process.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/138
S/1995/299
13 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 114 of the preliminary list*
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fiftieth year

Letter dated 13 April 1995 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a Declaration on Violation of Human Rights and Freedoms of the Bosniac-Muslims in Sandžak and Other Parts of Serbia and Montenegro, issued by the Parliament of the Republic of Bosnia and Herzegovina on 29 March 1995.

May I ask for your kind assistance in distributing the present letter as a document of the General Assembly, under item 114 of the preliminary list, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

* A/50/50.

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ANNEX

Declaration on Violation of Human Rights and Freedoms of the Bosniac-Moslems in Sandžak and Other Parts of Serbia and Montenegro adopted on 29 March 1995 by the Parliament of Bosnia and Herzegovina

Under article 304, paragraph 1 (24), pursuant to article 308, paragraphs 2 and 3, of the constitution of the Republic of Bosnia and Herzegovina and article 151 of the Operating Procedure of the Parliament of the Republic of Bosnia and Herzegovina, at the joint session held on 29 March 1995, considering the position of Bosniac-Moslems in Serbia and Montenegro, and especially Sandžak, the Parliament of the Republic of Bosnia and Herzegovina adopted the following

DECLARATION ON VIOLATION OF HUMAN RIGHTS AND FREEDOMS OF THE BOSNIAC-MOSLEMS IN SANDŽAK AND OTHER PARTS OF SERBIA AND MONTENEGRO

I

Deeply concerned, the Parliament of the Republic of Bosnia and Herzegovina points out that, along with the aggression of Serbia and Montenegro against the Republic of Bosnia and Herzegovina, the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro have been exposed to torture and violation. Brutal violation of human rights and freedoms occurring within Serbia and Montenegro have escalated into genocide in respect of the Bosniac-Moslems in Sandžak.

Systematic violation of human rights and freedoms: mass arrests, abductions and murders, pent-up political trials, forcible mobilizations, evictions and ethnic cleansing, plunder, disrespect of religious freedoms, not acknowledging of national and religious institutions of the Bosniac-Moslems.

The extremely serious situation in Sandžak makes the peace processes in the territory of the former Yugoslavia more difficult, and represents a threat to international peace and security. Such activities of Serbia and Montenegro violate the Charter of the United Nations and other acts of the United Nations Organization and the Organization for Security and Cooperation in Europe on human rights and freedoms.

The Parliament of the Republic of Bosnia and Herzegovina requests the United Nations Security Council, the Council of Europe, the Organization of Security and Cooperation in Europe, the European Union, the Organization of the Islamic Conference and the International Conference on the Former Yugoslavia immediately to undertake decisive action to protect the Bosniac-Moslems in Serbia and Montenegro.

The Parliament of the Republic of Bosnia and Herzegovina demands that the problem of Sandžak and the problem of the Bosniacs in other parts of Serbia and

Montenegro be immediately and unconditionally placed on the agenda of the Geneva International Conference on the Former Yugoslavia and the parties be invited to continue negotiations.

In all negotiations concerning the status of the Serbs in the Republic of Bosnia and Herzegovina and the status of the Bosniacs in Sandžak and other parts of Serbia and Montenegro, the stand should be taken by the Parliament of Bosnia and Herzegovina that special relationships between the Bosnian Serbs and Serbia are possible only under the condition that the same relationships will be established between the Bosniacs in Bosnia and the Bosniacs in Sandžak.

The Parliament of the Republic of Bosnia and Herzegovina appeals to the Parliaments and the Governments of the United States of America, the Russian Federation, the Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the Republic of France to prevent the genocide against the Bosniac-Moslems in Sandžak.

The Parliament of the Republic of Bosnia and Herzegovina suggests to the Parliaments of the Republic of Hungary, the Republic of Croatia, the Republic of Albania and other countries, parts of the population and national minorities of which live in Serbia and Montenegro, to undertake mutual actions with regard to protection of their rights and freedoms.

II

The Parliament of the Republic of Bosnia and Herzegovina emphasizes that it will continue to act in the direction of mutual recognition of the former Yugoslav republics within their international borders, for it is an essential prerequisite for the re-establishment of peace in the Balkans.

The Parliament of the Republic of Bosnia and Herzegovina will intercede in favour of the autonomy of Sandžak, which will have the indispensable guarantees, in accordance with relevant acts of international law. This is the principal issue for solving the crisis in the areas of the former Yugoslavia, for nobody is authorized to deprive other peoples of such rights as it asks for the members of its people.

The Republic of Bosnia and Herzegovina, fully respecting international law, will extend every support and assistance to the Bosniac-Moslems who fled Serbia and Montenegro and went to other countries, and will insist with the international community on creating conditions for their repatriation.

The Parliament demands of the relevant agencies of the international community that Bosniac-Moslems who fled Sandžak and other parts of Serbia and Montenegro, regardless of their place of residence, have the same treatment and the same rights as the refugees from other parts of the former Yugoslavia.

III

The mass media, scientific, educational, cultural and other institutions of the Republic of Bosnia and Herzegovina will offer all necessary support in the struggle for protection of human rights and freedoms and preservation of the

national identity of the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro.

The Parliament will continue to monitor the position of the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro and will take appropriate measures in conformity with the liabilities that the Republic of Bosnia and Herzegovina has regarding the members of the Bosnian people living in diaspora.

This Declaration is to be forwarded to the international organizations and to the Parliaments of the States referred to in section I of the Declaration.

This Declaration is to be published in an Official Bulletin of the Republic of Bosnia and Herzegovina.